

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANDRE SMALLS,

Plaintiff,

v.

C.O. BRANT, et al.,

Defendants.

No. 3:17-CV-00219

(Judge Brann)

(Magistrate Judge Carlson)

**ORDER**

**FEBRUARY 13, 2019**

**IT IS HEREBY ORDERED** that:

1. The Amended Report and Recommendation of Magistrate Judge Martin C. Carlson, ECF No. 93, is **ADOPTED IN PART AS FOLLOWS**:
  - a. Plaintiff's Motion to Dismiss, ECF No. 91, is **GRANTED**.
  - b. All claims in Plaintiff's Amended Complaint, ECF No. 47, are **DISMISSED WITH PREJUDICE**.
  - c. Defendants' Motion for Summary Judgment, ECF No. 73, is **DENIED AS MOOT**.
2. The Clerk of Court is directed to close this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge